

JOSEPH P. RUSSONIELLO (ASBN.44332)
United States Attorney
THOMAS MOORE (ASBN 4305-O78T)
Assistant United States Attorney
10th Floor Federal Building
450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7017

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA and)	Case No. C-07-5844-EDL
MARK CLAYBROOKS, Revenue)	
Officer,)	
Petitioners,)	
v.)	STIPULATION TO DISMISS
)	<u>AND [proposed] ORDER</u>
MICHAEL FAGAN,)	
Respondent.)	

It is hereby stipulated between petitioners, United States of America and Mark Claybrooks, and respondent Michael fagan, through the undersigned counsel, as follows:

1. In accordance with the provisions of 18 U.S.C. Section 636(c), the parties consent to have a United States Magistrate Judge conduct any and all further proceedings in this case, including trial, and entry of a final judgment, and voluntarily waive the right to proceed before a United States District Judge.

2. That this matter be dismissed, each party to bear their own costs and attorneys' fees.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

JOSEPH P. RUSSONIELLO
United States Attorney

/s/ Allan Miles
ALLAN MILES
Attorney for Michael Fagan

/s/ Thomas Moore
THOMAS MOORE
Assistant United States Attorney
Attorneys for Plaintiff

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 17, 2008


UNITED STATES MAGISTRATE JUDGE